NEW MEXICO INTERSTATE STREAM COMMISSION

BATAAN MEMORIAL BUILDING, ROOM 101
POST OFFICE BOX 25102
SANTA FE, NEW MEXICO 87504-5102

(505) 827-6160
FAX:(505) 827-6188

SENT VIA FASCIMILE AND U.S. MAIL

May 11, 2009

Ms. Marilyn Myers, Field Supervisor
New Mexico Ecological Services Field Office
U.S. Fish and Wildlife Service
2105 Osuna Road NE
Albuquerque, NM 87113

Re: USFWS requests for information concerning five-year status review of the four federally threatened Pecos River Basin invertebrates

Dear Ms Myers:

In response to the U. S. Fish and Wildlife Service (Service) request for comments, the New Mexico Interstate Stream Commission (NMISC) would like restate its interest in critical habitat issues surrounding the four federally threatened Pecos River Basin invertebrates: Noel's amphipod (*Gammarus desperatus)*, Pecos assiminea (*Assiminea pecos*), Koster's springsnail (*Juturnia kosteri*), the Roswell springsnail (*Pyrgulopsis roswellensis*). NMISC would like to take this opportunity to officially submit to the Service for its consideration in the forthcoming five-year status review the following report summarizing research regarding the effects of ground water pumping on these federally listed species:

Review of Groundwater Hydrology Associated with Spring Flows at Bitter Lake National Wildlife Refuge, New Mexico, Revised December, 2007. NMISC/Hydrosphere. December, 2007.

The principal findings of this document include:

(1) The historical record indicates that the main spring complexes that comprise the source flows for the proposed critical habitat in the Middle Unit at BLNWR have flowed continuously since measurements began in 1940, even during the drought of the 1950s. However, Balleau (1996) reported that regional habitat in the northern Roswell Basin (including North, South, and Berrendo Springs) has been adversely affected by decreased spring flows during this time period.

(2) Regional groundwater elevations in the vicinity of BLNWR reached a minimum in the late 1970s and generally have been rising since that time, in part due to adjudication in 1967 and greater administration of groundwater pumping in the Roswell Artesian Basin. Historical droughts (such as the 1950s and 2000-present) did not lower water levels to the historical lows observed in the 1970s.

(3) Ongoing state administration of groundwater pumping will help ensure that future pumping will not exceed historical maximums.

(4) Under current and expected future pumping regimes, an extended drought that exceeds historical conditions is the most likely threat to the future water supply for BLNWR habitat.

(5) Water rights acquisitions by the ISC as part of the Carlsbad Project Adjudication Settlement will reduce pumping demands in the northern Roswell Basin in the vicinity of BLNWR.

Thank you for the opportunity to comment and for your consideration of the attached report.

Sincerely,

Gregory J. Lewis, Chief
Pecos River Bureau
New Mexico Interstate Stream Commission

Reference

Review of Groundwater Hydrology Associated with Spring Flows at Bitter Lake National Wildlife Refuge, New Mexico, Revised December, 2007. Prepared by *James T. McCord, Ph.D., P.E Jodi A. Clark Jennifer L. Smith, Hydrosphere Reseource Consultants for the* New Mexico Interstate Stream Commission.